



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

Customer Assistance

IN THE MATTER OF TRIESTMAN & SONS)
INC. D/B/A OLEK LEJBZON & CO.,)
PETITIONER v. PUBLIC SERVICE)
ELECTRIC AND GAS COMPANY,)
RESPONDENT)

ORDER ADOPTING
INITIAL DECISION

BPU Docket No. EC05070611U
OAL Docket No. PUC 11466-05

(SERVICE LIST ATTACHED)

BY THE BOARD:

On July 12, 2005, Triestman & Sons, Inc. d/b/a Olek Lejbzon & Co. (Petitioner) filed a petition with the Board of Public Utilities (Board) for a hearing in regard to a billing dispute with Public Service Electric and Gas Company (PSE&G) (Respondent). On August 15, 2005, Respondent filed an answer.

On September 15, 2005, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Elinor R. Reiner.

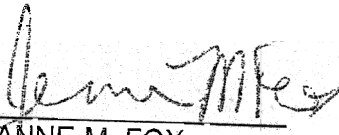
During the pendency of this matter at the OAL, the parties engaged in negotiations and reached a settlement. The settlement was submitted to the ALJ for review. On March 24, 2006, ALJ Reiner filed an Initial Decision with the Board, memorializing the terms of the settlement and recommending that it be approved. The ALJ found the settlement to be voluntary, consistent with the law and fully dispositive of all issues in controversy. The ALJ therefore concluded that the settlement met the requirements of N.J.A.C. 1:1-19.1.

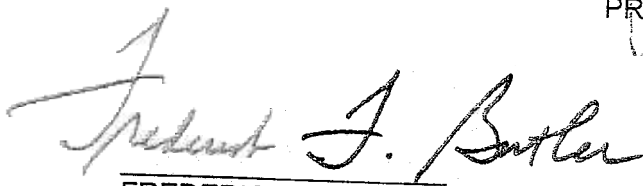
Under the terms of the settlement, inter alia, the parties agree to reduce the outstanding balance by \$28,829.29, leaving a remaining outstanding balance of \$30,966.87. Petitioner will not be charged late fees or any penalties for associated with billings for service prior to March 3, 2006. Petitioner will pay the outstanding balance, reduced by any amount for which Petitioner can provide proof of payment, in three equal monthly installments, in addition to ongoing utility service. Finally, Petitioner shall make a security deposit of \$4,000.00 by August 1, 2006.

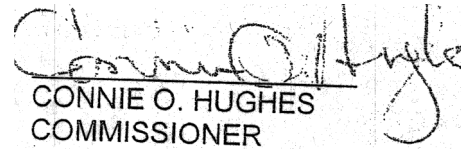
The Board FINDS that the terms of the settlement are fair and reasonable. Therefore, the Board HEREBY ADOPTS the Initial Decision and Stipulation of Settlement in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

DATED: 4/27/06

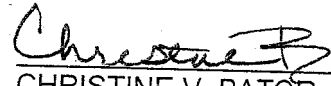
BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT

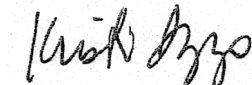

FREDERICK F. BUTLER
COMMISSIONER


CONNIE O. HUGHES
COMMISSIONER

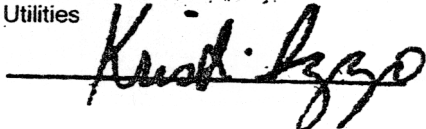

JOSEPH L. FIORDALISO
COMMISSIONER


CHRISTINE V. BATOR
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



Triestman & Sons, Inc. d/b/a Olek Lejbzon & Co. v. Public Service Electric and Gas Company

BPU Docket No. EC05070611U
OAL Dkt. No. PUC 11466-05

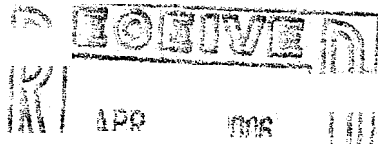
SERVICE LIST

Triestman & Sons, Inc. d/b/a Olek Lejbzon & Co.
58 Gould Ave.
Newark, NJ 07107

Joseph Priddy, Esq.
Public Service Electric & Gas Co.
80 Park Plaza T5G
Newark, NJ 07102

Kent Papsun, Director
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102

Jeff Slutzky, Esq.
Division of Law
124 Halsey St. - 5th Floor
Newark, NJ 07102



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION
SETTLEMENT

OAL DKT. NO. PUC 11466-05
AGENCY DKT. NO. EC05070611U

TRIESTMAN & SONS, INC.
D/B/A OLEK LEJBZON & CO.,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC

AND GAS COMPANY,

Respondent.

FORWARDED
CASE MANAGER
2006 APR 6 PM 2:45
AND OF PUBLIC UTILITIES
NEWARK, N.J.

Peter Triestman, President, Triestman & Sons, Inc.
D/B/A Olek Lejbzon & Co., petitioner

James L. Blasiak, Esq., for respondent

Record Closed March 24, 2006

Decided March 27, 2006

BEFORE ELINOR R. REINER, ALJ.

On or about July 12, 2005, petitioner filed a petition with the New Jersey Board of Public Utilities for a hearing in regard to a bill dispute with respondent. On or about August 15, 2005, respondent filed its response. On September 30, 2005, this matter was transmitted to the Office of Administrative Law (OAL) as a contested case for hearing pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13.

A mandatory early settlement conference scheduled for December 7, 2005 at the OAL before the undersigned judge was adjourned at the request of petition and rescheduled to March 24, 2006. At that date the parties appeared, settlement conferences were held and a settlement was reached.

The parties have agreed to settle this matter and have prepared the attached Settlement Agreement, indicating the terms of settlement.

have reviewed the record and the settlement terms and **FIND:**

The parties have voluntarily agreed to the settlement, as evidenced by their signatures or their representatives' signatures.

2. The settlement fully disposes of all issues in controversy and is consistent with the law.

CONCLUDE that this agreement meets the requirements of N.J.A.C. 17:27-19.1 and that the settlement should be approved. I **APPROVE** the settlement and therefore, **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified, or rejected by the BOARD OF PUBLIC UTILITIES, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

March 27 2006
DATE

Elinor R. Reiner
ELINOR R. REINER, ALJ
Receipt Acknowledged

3/30/06
DATE

[Signature]
BOARD OF PUBLIC UTILITIES

Mailed to Parties:

DATE
al

OFFICE OF ADMINISTRATIVE LAW

SETTLEMENT AGREEMENT

the matter of Triestman & Sons, Inc. dba/Olek
Lejbzon & Co. ("Petitioner" s. PSE&G OAL Docket
PUECC 11466-2005N BPU Docket No EC05070611U the parties
have agreed to settle the dispute in accordance with the
following terms

As of March 3 2006, as determined by PSE&G, the
total amount owed by Petitioner for service provided to

Account No. 11 978 420 12 is \$59,896.16.

2. AS A RESULT OF NEGOTIATIONS HELD ON MARCH 24, 2006, THE PARTIES
AGREE TO REDUCE THIS OUTSTANDING BALANCE BY \$28,829.29, LEAVING
A REMAINING BALANCE AS DETERMINED BY PSE+G OF \$30,966.87.

3. PETITIONER WILL NOT BE CHARGED LATE PAYMENT FEES OR
ANY PENALTIES ASSOCIATED WITH BILLINGS FOR SERVICE UNDER THIS
ACCOUNT PRIOR TO MARCH 3, 2006.

4 PETITIONER WITHIN THE NEXT 45 DAYS SHALL PROVIDE TO PSE+G
ANY PROOF OF PAYMENT NOT REFLECTED ON THE STATEMENT OF
PROVIDED TO H.M BY PSE+G ON MARCH 24. IF PETITIONER HAS
PAYMENT NOT REFLECTED ON PSE+G'S STATEMENT OF ACCOUNT
REDUCE THE \$30,966.87 BALANCE BY THE AMOUNT OF SUCH PAYMENT.

5. PETITIONER SHALL PAY THE OUTSTANDING BALANCE OF \$30,966.87
REDUCED BY THE PARAGRAPH 4 (ABOVE) ADJUSTMENT, IF ANY, ~~NO LATER~~ ^{8W}
~~IN~~ IN THREE EQUAL INSTALLMENTS NO LATER THAN EACH OF
THE FOLLOWING DAYS: APRIL 24, 2006, MAY 24, 2006, AND JUNE 26, 2006.

6. PETITIONER SHALL PAY FOR CURRENT SERVICE AFTER
MARCH 3, 2006, ON A TIMELY BASIS.

7. PETITIONER SHALL MAKE A SECURITY DEPOSIT OF \$4,000.00
NO LATER THAN AUGUST 1, 2006. PSE+G WILL HOLD SUCH DEPOSIT
ACCORDANCE WITH ITS EFFECTIVE TARIFF.

In the event that Petitioner does not comply with the
terms of this settlement agreement, ~~it shall be revoked by~~ THEN THE SETTLEMENT SHALL BE
WITHOUT PREJUDICE TO EITHER PARTY AND PSE+G RESERVES
THE RIGHT TO SEEK FULL PAYMENT FOR ALL AMOUNTS OWED

BY ER ABDEL SETTLEMENT AND PETITIONER
TEST SUCH AGREES IN AN ADMINISTRATIVE HEARING
#

~~to agree to comply and the full amount forgiven by this
settlement agreement, including late payment charges and
field collection charges, shall become immediately due and
payable.~~

Accordingly in consideration for the payment amount
and payment terms set forth in this settlement agreement,
the parties ask that the Petition be dismissed ~~with~~
~~prejudice~~ AND PETITIONER WITHDRAWS HIS APPEAL PENDING
BEFORE THE OFFICE OF ADMINISTRATIVE LAW.

Agreed to by the parties this 24th day of March 2006:

Er Triestman, Pres.
Triestman & Sons, Inc.
dba/Olek Lejbzon & Co

James T. Walsh
PSE&G
JAMES T WALSH
SENIOR CUSTOMER RELATION
CONSULTANT



State of New Jersey BOARD
OFFICE OF ADMINISTRATIVE LAW
33 Washington Street
Newark, New Jersey 07102
(973) 648-6008

NORTH

Date: MAR 28 2006

Re: Initial Decisions for Receipt

Receipt of the following decisions from the Office of Administrative Law (as well as a copy of this form) is acknowledged as of the date indicated below:

OAL Docket No. PUC

Case Name

11466-05

TRISTMAN & SONS INC

11292-05

MARKESHA LLOYD

Board of Public Utilities

2 Gateway Center

Newark, New Jersey 07102

Date:

3/3


Board of Public Utilities